

ORIGINAL

JOSEPH E. DUNNE III  
COLBY M. MAY\*

\*ALSO ADMITTED IN VIRGINIA

MAY & DUNNE  
CHARTERED  
ATTORNEYS AT LAW  
1000 THOMAS JEFFERSON STREET, N.W.  
SUITE 520  
WASHINGTON, D.C. 20007  
(202) 298-6345

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MAY 28 1992

RICHARD G. GAY  
OF COUNSEL

TELECOPIER NO.  
(202) 298-6375

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

May 28, 1992

HAND DELIVER

Donna R. Searcy  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

ATTN: The Honorable Edward J. Kuhlmann,  
Administrative Law Judge

RE: Central Florida Educational Foundation, Inc., et. al., MM  
Docket No. 92-33, Union Park, Conway, Oak Hill, and Lake  
Mary, Florida

Dear Ms. Searcy:

Transmitted herewith on behalf of the parties in this proceeding,  
is an original and six (6) copies of their "Joint Outline of  
Evidence Submitted Under Issue 2(B)" in compliance with the  
Presiding Officer's Memorandum Opinion and Order, FCC 92M-496  
(released April 27, 1992).

Should any questions arise concerning this matter, the applicant's  
respective counsel should be contacted directly.

Respectfully submitted,

MAY & DUNNE, CHARTERED

By: Joseph E. Dunne III  
Joseph E. Dunne III, Esq.  
Attorney for Central Florida  
Educational Foundation, Inc.

JED:gmca41

xc: All per attached Certificate of Service

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BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

**RECEIVED**

**MAY 28 1992**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. 92-33
	)	
CENTRAL FLORIDA EDUCATIONAL	)	File No. BPED-881207MA
FOUNDATION, INC.	)	
Channel 203C3	)	
Union Park, Florida	)	
	)	
BIBLE BROADCASTING NETWORK, INC.	)	File No. BPED-890412MJ
Channel 202C2	)	
Conway, Florida	)	
	)	
SOUTHWEST FLORIDA COMMUNITY RADIO,	)	File No. BPED-891127MC
INC.	)	
Channel 202C2	)	
Conway, Florida	)	
	)	
MIMS COMMUNITY RADIO, INC.	)	File No. BPED-891127MD
Channel 202C1	)	
Oak Hill, Florida	)	
	)	
HISPANIC BROADCAST SYSTEM, INC.	)	File No. BPED-891128ME
Channel 202C3	)	
Lake Mary, Florida	)	
	)	
For Construction Permit for a New	)	
Noncommercial Educational FM Station	)	
TO: The Honorable Edward J. Kuhlmann		
Administrative Law Judge		

**JOINT OUTLINE OF EVIDENCE SUBMITTED UNDER ISSUE 2(B)**

The applicants in the above-captioned matter,<sup>1</sup> by their undersigned attorneys, hereby submit this "Joint Outline of Evidence Submitted Under Issue 2(B)," as required by the Presiding Officer's Memorandum Opinion and Order, FCC 92M-486 (released April 27, 1992).

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<sup>1</sup>The applicants are referred to here using the same abbreviations as were used in the Hearing Designation Order, DA 92-224 (released March 10, 1992).

**I. ISSUE 2(B) - Share-Time**

**1) Discussions Concerning Share-Time Issue**

- (a) Counsel for the applicants have met twice to discuss possible share-time arrangements, as well as other issues. To date, none of the principals of the applicants have been directly involved in any discussions with counsel or each other concerning this issue.
- (b) The applicants have agreed that no proposal involving the share-time among all applicants is feasible either programmatically or financially.
- (c) A share-time arrangement between two applicants (Central and Hispanic) has been discussed, but there were not enough hours remaining to satisfy the programming needs of all applicants.
- (d) A share-time arrangement which would allow Mims to be the licensee of a lower power facility on another frequency, and Southwest, Hispanic and BBN to equally share a license for another channel has been agreed upon in principle, if technically feasible.
- (e) If (d) above is not technically feasible, four applicants (Mims, Hispanic, BBN and Southwest) would share the frequency on a pro-rata basis.
- (f) As noted in paragraph 8 of the Hearing Designation Order the applicants will continue to discuss the technical and other issues involved in a share-time agreement between and among themselves.


**2) Evidence Submitted Concerning Share-Time**

- (a) Contingent upon the resolution of various technical details and an agreement concerning the details of the arrangement, BBN, Hispanic, Southwest and Mims will submit evidence that a share-time agreement consistent with points (d) or (e) above is in the public interest.

- (b) If it is not a party to a share-time agreement, Central shall submit evidence concerning why a share-time agreement is economically and programmatically infeasible and not in the public interest.
- (c) As envisioned by the Hearing Designation Order, the applicants reserve the right to present evidence of a share-time arrangement different from those outlined above should continuing negotiations result in changes in the form or the substance of the agreements alluded to above.

Respectfully submitted,

**CENTRAL FLORIDA EDUCATIONAL  
FOUNDATION, INC.**

By:   
Joseph E. Dunne III, Esq.  
Its Attorney

**MAY & DUNNE, CHARTERED**  
Suite 520  
1000 Thomas Jefferson Street, N.W.  
Washington, D.C. 20007  
(202) 298-6345

**BIBLE BROADCASTING NETWORK, INC.**

By: \_\_\_\_\_  
Gary S. Smithwick, Esq.  
Its Attorney

**SMITHWICK & BELENDIUK, P.C.**  
2033 M Street, N.W., Suite 207  
Washington, D.C. 20036  
(202) 785-2800

concerning why a share-time agreement is economically and programmatically infeasible and not in the public interest.

- (c) As envisioned by the Hearing Designation Order the applicants reserve the right to present evidence of a share-time arrangement different from those outlined above should continuing negotiations result in changes in the form or the substance of the agreements alluded to above.


Respectfully submitted,

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FOUNDATION, INC.**

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Joseph E. Dunne III, Esq.  
Its Attorney

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2033 M Street, N.W., Suite 207  
Washington, D.C. 20036  
(202) 785-2800

**SOUTHWEST FLORIDA COMMUNITY RADIO,  
INC.**

By:   
A. Wray Fitch III, Esq.  
Its Attorney

**GAMMON & GRANGE**  
8280 Greensboro Drive  
McLean, Virginia 22102-3807  
(703) 761-5013

**MIMS COMMUNITY RADIO, INC.**

By: \_\_\_\_\_  
Stephen C. Simpson, Esq.  
Its Attorney

Stephen C. Simpson, Esq.  
1090 Vermont Avenue, N.W., Suite 800  
Washington, D.C. 20005  
(202) 408-7035

**HISPANIC BROADCAST SYSTEM, INC.**

By: \_\_\_\_\_  
James C. Oyster, Esq.  
Its Attorney

James L. Oyster, Esq.  
Route 1, Box 203A  
Castleton, Virginia 22716  
(703) 937-4800

SOUTHWEST FLORIDA COMMUNITY RADIO,  
INC.

By: \_\_\_\_\_  
A. Wray Fitch III, Esq.  
Its Attorney

GAMMON & GRANGE  
8280 Greensboro Drive  
McLean, Virginia 22102-3807  
(703) 761-5013

COMMUNITY RADIO, INC.

By: Stephen C. Simpson  
Stephen C. Simpson, Esq.  
Its Attorney

Stephen C. Simpson, Esq.  
1090 Vermont Avenue, N.W., Suite 800  
Washington, D.C. 20005  
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Stephen C. Simpson, Esq.  
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Washington, D.C. 20005  
(202) 408-7035

**HISPANIC BROADCAST SYSTEM, INC.**

By: James C. Oyster / JEO  
James C. Oyster, Esq.  
Its Attorney

James L. Oyster, Esq.  
Route 1, Box 203A  
Castleton, Virginia 22716  
(703) 937-4800



**CERTIFICATE OF SERVICE**

I, Glinda M. Corbin, a secretary in the law offices of May & Dunne, Chartered, hereby certify that I have caused to be sent this 28th day of May 1992 via first class U.S. mail, postage prepaid, a true and correct copy of the foregoing JOINT OUTLINE OF EVIDENCE SUBMITTED UNDER ISSUE 2(B) to the following:

\*The Honorable Edward J. Kuhlmann  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W., Room 220  
Washington, D.C. 20554

\*James Shook, Esq.  
Hearing Division, Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 7212  
Washington, D.C. 20554

Gary S. Smithwick, Esq.  
Smithwick & Belendiuk, P.C.  
1990 M Street, N.W., Suite 510  
Washington, D.C. 20036  
(Attorney for Bible Broadcasting Network, Inc.)

A. Wray Fitch III, Esq.  
Gammon & Grange  
8280 Greensboro Drive  
McLean, Virginia 22102-3807  
(Attorney for Southwest Florida Community Radio, Inc.)

Stephen C. Simpson, Esq.  
1090 Vermont Avenue, N.W., Suite 800  
Washington, D.C. 20005  
(Attorney for Mims Community Radio, Inc.)

James L. Oyster, Esq.  
Route 1, Box 203A  
Castleton, Virginia 22716  
(Attorney for Hispanic Broadcast System, Inc.)

By: Glinda M. Corbin  
Glinda M. Corbin

\*Hand Deliver